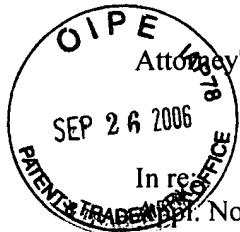


RESPONSE UNDER 37 C.F.R. 1.116 -  
EXPEDITED PROCEDURE - EXAMINING GROUP 1638



Attorney's Docket No. 035718/260673

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Appl. No.: Herrmann et al. Confirmation No.: 4095  
10/617,978 Group No.: 1638  
Filed: July 11, 2003 Examiner: Anne R. Kubelik  
For: ORALLY ACTIVE ANDROCTONUS AMOREUXI PESTICIDAL BIOPEPTIDES  
[Title as Amended January 5, 2006]

Mail Stop AF  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

PETITION AND FEE FOR EXTENSION OF TIME 37 C.F.R. § 1.136(a)

1. This is a petition for an extension of time for a total period of ONE months to respond to the Office Action dated May 26, 2006 and the Advisory Action dated August 15, 2006.

2. Applicant is  a small entity;  other than a small entity.

3. Calculation of extension fee (37 C.F.R. § 1.17(a)(1)-(a)(5)):

Total Months <u>Requested</u>	Fee For Other Than Small Entity	Fee for <u>Small Entity</u>
one month	\$120.00	\$60.00
two months	\$450.00	\$225.00
three months	\$1,020.00	\$510.00
four months	\$1,590.00	\$795.00
five months*	\$2,160.00	\$1,080.00

\*Cannot be used to exceed six-month statutory limit for response to an Official Action.

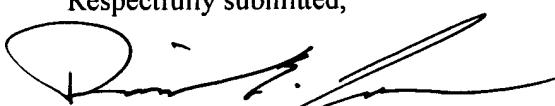
A check in the amount of \$120 is enclosed.

Charge Deposit Account No. 16-0605 for the extension fee.

All fees are being authorized to be charged to Deposit Account No. 16-0605 when electronically filing

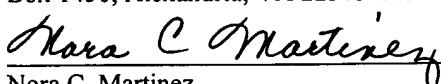
Charge Deposit Account No. 16-0605 for any fee deficiency.

Respectfully submitted,



David E. Cash  
Registration No. 52,706

Customer No. 29122  
**ALSTON & BIRD LLP**  
Bank of America Plaza  
101 South Tryon Street, Suite 4000  
Charlotte, NC 28280-4000  
Tel Raleigh Office (919) 862-2200  
Fax Raleigh Office (919) 862-2260

**CERTIFICATE OF EXPRESS MAILING**  
"Express Mail" mailing label number EV395780069US  
Date of Deposit September 26, 2006 09/27/2006 TBESHAKI 00000068 10617978  
02 FC:1251 120.00 0P  
I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to: Mail Stop AF, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450  
  
Nora C. Martinez